

REMARKS

Applicants amended claim 1 to describe the present invention with more specificity. The support can be found on page 15, lines 13-17. Claim 24 has been amended to delete the "preferably" language. No new matter is added. Entry is believed to be proper and respectfully requested.

Currently, Claims 1-5, 17-19, 24-25 and 30 are pending. No additional claims fee is believed due.

REJECTIONClaim Rejection Under 35 U.S.C. §103

The Examiner rejects Claims 1-6, 17-20, 24, 25 and 30 under 35 U.S.C. §103 as being unpatentable over US 5,668,102 to Severns et al. (hereinafter "Severns") for reasons of record in the prior Office Action. The Examiner states that the reference discloses biodegradable rinse-added fabric softeners with improved perfume longevity. Specifically, the Examiner points to fabric softener compositions of Example 12 which comprise lipophilic esters as well as silicone antifoaming agents. The Examiner also states that rinse-added fabric softeners are commonly added to treat fabric after it has been laundered in a washing machine with a detergent in the presence of water and suitable detergent typically comprise anionic or zwitterionic surfactants. The Examiner alleges that this reference teaches composition comprising all of the ingredients recited by Applicants and these compositions are typically used in cleaning methods which meet the limitations cited by Applicants, therefore, it would have been obvious at the time the invention was made to use such a process claimed by Applicants. Further, The Examiner considers the perfume (ester of dihydromecernol) disclosed by Severns to be a lipophilic fluid, as defined by the present invention.

Applicants respectfully traverse.

However, in order to advance prosecution and place the current application in condition for allowance, Applicants has amended the lipophilic fluids. Applicants point out that a fair reading of Severns would indicate to a person of ordinary skill in the art that Severns' fabric softener compositions are intended for aqueous rinse processes and/or drying processes (see Col. 1, lines 32-47). There is no teaching or suggestion in Severns regarding the use a fabric refreshment composition with a lipophilic cleaning fluid, such as the presently claimed lipophilic fluids.

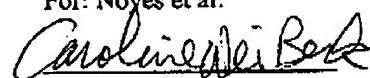
Based on the forgoing, Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Applicants believe that the above represents an earnest effort to place the present application in condition for allowance. Withdrawal of the rejection and issuance of a Notice of Allowance are respectfully requested.

In the event that issues remain prior to allowance of the pending claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,
For: Noyes et al.



Caroline Wei-Berk
Attorney for Applicants
Reg. No. 45.203
(513) 627-0352

January 29, 2004
Customer No. 27752